



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/618,749

07/15/2003

Yasuo Mutsuro

500.42938X00

6931

20457

7590

01/09/2009

ANTONELLI, TERRY, STOUT & KRAUS, LLP

1300 NORTH SEVENTEENTH STREET

SUITE 1800

ARLINGTON, VA 22209-3873

EXAMINER

YODER III, CHRIS S

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

01/09/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/618,749

Applicant(s)

MUTSURO ET AL.

Examiner

CHRISS S. YODER III

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8 and 16 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,3-6,8 and 16 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 15 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed October 1, 2008 have been fully considered but they are not persuasive. Applicant's arguments with respect to claims 1 and 16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. **Claims 1, 3-6, 8, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Battle et al. (US Pub. 2002/0113879) in view of Weston et al. (US Pub. 2002/0008622), and further in view of Cohen et al. (US Patent 6,963,358).**
2. In regard to **claim 1**, note Battle discloses the use of a camera system having a plurality of portable devices and a fixed camera (paragraph 0038 and figure 3), each of the portable devices comprising a receiver unit to receive image data photographed by the fixed camera (paragraph 0041, the palm pilot receives the image data from the camera), a writer unit to write the received image data in a memory medium (paragraph 0041), a memory unit to store an ID for identification of each of the portable devices (paragraph 0041), and a transmitter unit to transmit the ID to the fixed camera (paragraph 0041), and a transmit turn-off unit to stop the transmitter unit from

transmitting the ID to the fixed camera, in response to a user operation (paragraph 0038, the transmission of the ID is user activated), the fixed camera comprising a receiver unit to receive the ID from the portable devices (paragraph 0038), an image pick-up unit to start image pick-up operation when receiving the ID (paragraph 0038), a transmitter unit to transmit the photographed image data to each of the portable devices (paragraph 0041, the palm pilot receives the image data from the camera), a server, wherein the transmitter unit of the fixed camera transmits the photographed image data and the ID to the server, and the server receives the image data and the ID from the fixed camera and stores the data and ID as associated with each other (paragraphs 0048-0049), and the fixed camera includes a memory unit to store the image data therein, and before transmitting the image data to the server, stores the image data in the memory unit (paragraph 0040). Therefore, it can be seen that Battle fails to explicitly disclose that the transmitter unit automatically transmits the ID to the fixed camera without user input, at intervals of constant time, and that the transmit turn-off unit stops automatic transmission of the ID, the use of a gate comprising a first unit for registering the ID when the portable device is lent and a second unit for returning the ID when the portable device is returned, and that the server issues transmission permission to the fixed camera according to predetermined conditions before the camera transmits the image data to the server, and wherein if the server does not issue the transmission permission to the camera, a scheduling management is performed for transferring the data from the camera after a predetermined time period elapses.

In analogous art, Weston discloses the use of a transmitter unit that automatically transmits an ID to a fixed camera at intervals of constant time, without user input (paragraph 0026), and the use of a gate comprising a first unit for registering the ID when the portable device is lent (paragraph 0026; each device is registered when purchased/rented) and a second unit for returning the ID when the portable device is returned (paragraph 0027; the portable device is returned when the user has completed their photo activities). Weston teaches that the use of a transmitter unit that automatically transmits an ID to a fixed camera at intervals of constant time, without user input is preferred in order to require little or no action by the user to activate the image capture (paragraph 0026), and the use of a gate comprising a first unit for registering the ID when the portable device is lent and a second unit for returning the ID when the portable device is returned is preferred in order to identify the relevant pictures that have been stored and quickly print the customized order when the user is ready to leave the park (paragraphs 0027 and 0043). And through the combination of Battle and Weston, the user activation of the transmission of the ID taught by Battle (paragraph 0038) is considered to enable and disable the automatic transmission of the ID as taught by Weston. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Battle device to include the use of a transmitter unit that automatically transmits an ID to a fixed camera at intervals of constant time, without user input, and the use of a gate comprising a first unit for registering the ID when the portable device is lent and a second unit for returning the ID when the portable device is returned, in order to require little or no action by the user to activate the image capture,

and to identify the relevant pictures that have been stored and quickly print the customized order when the user is ready to leave the park, as suggested by Weston.

Also in analogous art, Cohen discloses the use of a server that issues transmission permission to a camera according to predetermined conditions before the camera transmits the image data to the server (column 12, lines 20-57), and wherein if the server does not issue the transmission permission to the camera, a scheduling management is performed for transferring the data from the camera after a predetermined time period elapses (column 12, lines 20-57). Cohen teaches that the use of a server that issues transmission permission to a camera according to predetermined conditions before the camera transmits the image data to the server, and wherein if the server does not issue the transmission permission to the camera, a scheduling management is performed for transferring the data from the camera after a predetermined time period elapses is preferred in order to ensure that image transfer is only performed when transmission is capable and/or authorized (column 12, lines 20-57). Therefore, it would have been obvious to one of ordinary skill in the art to modify Battle such that the server that issues transmission permission to the camera according to predetermined conditions before the camera transmits the image data to the server, and wherein if the server does not issue the transmission permission to the camera, a scheduling management is performed for transferring the data from the camera after a predetermined time period elapses, in order to ensure that image transfer is only performed when transmission is capable and/or authorized, as suggested by Cohen.

3. In regard to **claim 3**, note Battle discloses the use of a terminal apparatus, the terminal apparatus includes an input unit to enter an ID for identifying each of the portable devices, a transceiver unit to transmit the entered ID to the server and to receive image data from the server, and an output unit to output the received image data, and the server includes a transceiver unit to receive the ID for identifying each of the portable devices from the terminal apparatus and to transmit image data to the terminal apparatus, and a search unit to search for the image data on the basis of the received ID (paragraph 0049, based on the account/ID data that is entered into the terminal, the associated images are retrieved and displayed).
4. In regard to **claim 4**, note Battle discloses that the server includes a transceiver unit to receive the ID and a password corresponding to the ID from a computer connected via a network and to transmit the image data corresponding to the ID via the network to the computer and an analyzer unit to analyze the ID and password and to judge whether or not to transmit the image data corresponding to said ID (paragraph 0049, based on the account/ID data that is entered into the terminal, the associated images are retrieved and displayed).
5. In regard to **claim 5**, note the primary reference of Battle in view of Weston discloses the use of a camera system having a plurality of portable devices and a fixed camera, as claimed in claim 1. Therefore, it can be seen that the primary reference of Battle in view of Weston fails to explicitly disclose that the fixed camera includes a unit to generate other image data having a resolution lower than a resolution of the photographed image data and to transmit the photographed image data the server and

to transmit the other image data having the lower resolution to the portable device.

Official notice is taken that the concepts and advantages of having a camera generate other image data having a resolution lower than a resolution of the photographed image data and to transmit the photographed image data the server and to transmit the other image data having the lower resolution to the portable device are notoriously well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify the primary device such that the fixed camera includes a unit to generate other image data having a resolution lower than a resolution of the photographed image data and to transmit the photographed image data the server and to transmit the other image data having the lower resolution to the portable device in order to reduce the bandwidth necessary to provide the user with a preview image by transferring low resolution image to the portable device, while reducing the storage space required in the camera by transferring the high resolution image to the server for permanent storage and reproduction without a loss in image quality.

6. In regard to **claim 6**, note Battle discloses the use of a camera system having a plurality of portable devices, a fixed camera, and a server (paragraph 0038-0049 and figure 3), each of the portable devices comprising a memory unit to store an ID for identification of each of the portable devices (paragraph 0041), a transmitter unit to transmit the ID to the fixed camera (paragraph 0041), and a transmit turn-off unit to stop the transmitter unit from transmitting the ID to the fixed camera, in response to a user operation (paragraph 0038, the transmission of the ID is user activated), the fixed camera comprising a receiver unit to receive the ID from the portable devices

(paragraph 0038), an image pick-up unit to start its image pick-up operation when receiving the ID (paragraph 0038), and a transmitter unit to transmit the ID and the photographed image data to the server (paragraphs 0048), and the server comprising a receiver unit to receive the ID and the image data from the fixed camera (paragraphs 0048-0049), a memory unit to store information indicative of the ID and a transmission destination of the image data corresponding to the ID (paragraphs 0045, the information is stored during pre-registration), that the server has a transmitter unit to transmit the received image data to a transmission destination (paragraphs 0050), and the fixed camera includes a memory unit to store the image data therein, and before transmitting the image data to the server, stores the image data in the memory unit (paragraph 0040). Therefore, it can be seen that Battle fails to explicitly disclose that the transmitter unit automatically transmits the ID to the fixed camera without user input, at intervals of constant time, and that the transmit turn-off unit stops automatic transmission of the ID, the use of a gate comprising a first unit for registering the ID when the portable device is lent and a second unit for returning the ID when the portable device is returned, and that the server issues transmission permission to the fixed camera according to predetermined conditions before the camera transmits the image data to the server, and wherein if the server does not issue the transmission permission to the camera, a scheduling management is performed for transferring the data from the camera after a predetermined time period elapses.

In analogous art, Weston discloses the use of a transmitter unit that automatically transmits an ID to a fixed camera at intervals of constant time, without user input

(paragraph 0026), and the use of a gate comprising a first unit for registering the ID when the portable device is lent (paragraph 0026; each device is registered when purchased/rented) and a second unit for returning the ID when the portable device is returned (paragraph 0027; the portable device is returned when the user has completed their photo activities). Weston teaches that the use of a transmitter unit that automatically transmits an ID to a fixed camera at intervals of constant time, without user input is preferred in order to require little or no action by the user to activate the image capture (paragraph 0026), and the use of a gate comprising a first unit for registering the ID when the portable device is lent and a second unit for returning the ID when the portable device is returned is preferred in order to identify the relevant pictures that have been stored and quickly print the customized order when the user is ready to leave the park (paragraphs 0027 and 0043). And through the combination of Battle and Weston, the user activation of the transmission of the ID taught by Battle (paragraph 0038) is considered to enable and disable the automatic transmission of the ID as taught by Weston. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Battle device to include the use of a transmitter unit that automatically transmits an ID to a fixed camera at intervals of constant time, without user input, and the use of a gate comprising a first unit for registering the ID when the portable device is lent and a second unit for returning the ID when the portable device is returned, in order to require little or no action by the user to activate the image capture, and to identify the relevant pictures that have been stored and quickly print the customized order when the user is ready to leave the park, as suggested by Weston.

Also in analogous art, Cohen discloses the use of a server that issues transmission permission to a camera according to predetermined conditions before the camera transmits the image data to the server (column 12, lines 20-57), and wherein if the server does not issue the transmission permission to the camera, a scheduling management is performed for transferring the data from the camera after a predetermined time period elapses (column 12, lines 20-57). Cohen teaches that the use of a server that issues transmission permission to a camera according to predetermined conditions before the camera transmits the image data to the server, and wherein if the server does not issue the transmission permission to the camera, a scheduling management is performed for transferring the data from the camera after a predetermined time period elapses is preferred in order to ensure that image transfer is only performed when transmission is capable and/or authorized (column 12, lines 20-57). Therefore, it would have been obvious to one of ordinary skill in the art to modify Battle such that the server that issues transmission permission to the camera according to predetermined conditions before the camera transmits the image data to the server, and wherein if the server does not issue the transmission permission to the camera, a scheduling management is performed for transferring the data from the camera after a predetermined time period elapses, in order to ensure that image transfer is only performed when transmission is capable and/or authorized, as suggested by Cohen.

7. In regard to **claim 8**, note Battle discloses that each of the portable devices includes a shutter unit which indicates timing to be photographed and transmits the

capture signal to the camera according to the indication of the timing to be photographed (paragraphs 0038-0041).

8. In regard to **claim 16**, note Battle discloses that each of the portable devices includes a shutter unit which indicates timing to be photographed and transmits the capture signal to the camera according to the indication of the timing to be photographed (paragraphs 0038-0041).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 20040201683A1: note the use of lending/returning of a transmitter device at a recreation facility to operate fixed cameras around the facility.

US007321387B2: note the use of a photopackage device that transmits low resolution images to the user while storing high resolution images.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISS S. YODER III whose telephone number is (571)272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. S. Y./
Examiner, Art Unit 2622

/Lin Ye/
Supervisory Patent Examiner, Art Unit 2622